



*Image* RCB/2828 *[Signature]*

**PATENT APPLICATION**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

**MAIL STOP RCE**

Roland H. PRATT

Group Art Unit: 2828

Application No.: 10/048,053

Examiner: Hung Vy

Filed: January 25, 2002

Docket No.: 111805

For: GAS LASER AND OPTICAL SYSTEM

**LARGE ENTITY REQUEST FOR  
CONTINUED EXAMINATION UNDER 37 C.F.R. §1.114**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the provisions of 37 C.F.R. §1.114, Applicant hereby requests continued examination.

☒ Applicant further requests entry and consideration of the submission filed November 21, 2003.

The above-identified application was filed on or after June 8, 1995. Thus, entry is proper under 37 C.F.R. §1.114(d).

Attached hereto is our check no. 151305 in the amount of ☒ \$770.00 as payment of the fees set forth in 37 C.F.R. §1.17(e). The Commissioner is hereby authorized to charge any additional fees or credit any overpayment associated with this communication to Deposit Account No. 15-0461. Two duplicate copies of this page are enclosed.

Respectfully submitted,

James A. Oliff  
Registration No. 27,075

Tarik M. Nabi  
Registration No. 55,478

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JAO:TMN/ccs

Date: February 23, 2004

**OLIFF & BERRIDGE, PLC**  
**P.O. Box 19928**  
**Alexandria, Virginia 22320**  
**Telephone: (703) 836-6400**

<p><b>DEPOSIT ACCOUNT USE AUTHORIZATION</b> Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461</p>
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**PATENT APPLICATION**

**RESPONSE UNDER 37 CFR §1.116  
EXPEDITED PROCEDURE  
TECHNOLOGY CENTER ART UNIT 2828**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Roland H. PRATT

Group Art Unit: 2828

Application No.: 10/048,053

Examiner: Hung Vy

Filed: January 25, 2002

Docket No.: 111805

For: GAS LASER AND OPTICAL SYSTEM

**PRELIMINARY REMARKS AFTER  
REQUEST FOR CONTINUED EXAMINATION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

A Request for Continued Examination is being filed herewith for the above-identified matter, and thereby the Amendment filed on November 21, 2003, which was denied entry on the basis of new issues, is now entered.

However, the Advisory Action was unclear on several points. First, although it denied entry of the November 21, 2003 Amendment After Final Rejection, it further alleges that the Amendment "fails to overcome the rejection" and that a certain phrase, which was added by the Amendment After Final Rejection, "necessitated the new grounds of rejection." On its face, the Advisory Action seems contradictory; e.g., if the phrase was newly added by the Amendment After Final Rejection, which was not entered, it could not have necessitated a

new grounds of rejection. Retraction of this statement, or clarification thereof, is respectfully requested.

Second, in the Office Action mailed August 21, 2003, the Examiner applied grounds of rejection under 35 U.S.C. §112, second paragraph. Applicant responded to that rejection, with amendments and remarks, in the November 21 Amendment After Final Rejection. However, the Advisory Action now repeats verbatim the same grounds of objections/rejections that were stated under the §112, second paragraph, rejection in the August 21 Office Action, without addressing or responding to any of Applicant's amendments or arguments in this regard. Applicant respectfully submits that the claims fully comply with the requirements of 35 U.S.C. §112, and request that, if the Examiner disagrees, he further explains his position vis-à-vis Applicant's amendments and remarks in this regard.

Third, the Advisory Action appears to imply that the previous prior art rejection has not been overcome. Applicant assumes that this is only because the Amendment After Final Rejection was not entered at the time the Examiner wrote the Advisory Action. If necessary, Applicant reminds the Examiner of his agreement during the November 25, 2003 personal interview that, for example, the currently applied prior art (Sanders) does not disclose a linear HeNe gas laser. Accordingly, Applicant does not further address this rejection at this point, and believes that it will be overcome upon entry of the November 21 Amendment After Final Rejection.

Regarding the new references listed in the Advisory Action, the Patent Office has set forth no formal grounds of rejection over these references, including identification of a motivation to combine the references. Applicant believes that the claims are patentable even in view of these newly cited references, and respectfully submits that a new rejection over these references would be improper.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff  
Registration No. 27,075

Tarik M. Nabi  
Registration No. 55,478

JAO:TMN/dmw

Date: February 23, 2004

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